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A Memorial preſented to the King of Great-Britain, *by M.* de Palm *the Emperour's Reſident, on the* 2d *Day of* March, 1726-7.

Sereniſſime & Potentiſſime Rex.

Quamprimùm ad aures ſuæ Majeſtatis Cæſareæ Regio-Catholicæ, Domini mei clementiſſimi, allocutio Majeſtatis veſtræ ad Regni Magnæ Britanniæ ſtatus in Parlamento hodiè congregatos habita pervenit, mirari ſupra modum ſubiit, quâ ratione Majeſtas veſtra induci ſe paſſa ſit, ut nonnulla in iſtâ allocutione in ſequiorem ſenſum detorta; alia à mente ſuæ Majeſtatis Cæſareæ & Catholicæ quàm longiſſimè aliena; alia denique (quæ altiùs feriunt) omni etiam fundamentò deſtituta; inclytæ Nationi, velut certa ac indubitata, inauditò hactenus more, è ſolio Regiò proponeret.

Etenim pacem cum Sereniſſimo Hiſpaniarum Rege Viennæ initam quod attinet, quis non obſtupeſcat eam ipſam pacem Quadruplici Foederi Londinenſi, & aliis cum Majeſtate veſtrâ initis, ceu unicæ ac ſolidiſſimæ Baſi innixam, & pro quâ obtinendâ Ipſemet Majeſtas veſtra unà cum Belli Sociis tam cruentum, tamque diuturnum, neque inglorium bellum geſſit, ad quam Ipſamet allaboravit, à ſe nunc pro juſtâ Querimoniæ cauſâ obtendi, & pro anſa eorum, quæ hucuſque cum ſummo Imperatoris & Imperii Tranquillitatiſque Publicæ detrimento ubiquè terrarum à Majeſtatis veſtræ Miniſtris geſta ſunt, aſſumi; Magnæque Britanniæ Populo, pro Violatione Foederum, tantâ cum Cæſaris Hiſpaniarumque Regis invidiâ, ab eadem proponi poſſe!

Poſt Pacem Viennenſem incuſatur alter Commercii Tractatus cum Hiſpaniâ factus, atque ad promovenda utriuſque ſubditorum licita commoda inſtitutus, qui Juri Gentium atque

Most Serene and most Potent King.

AS ſoon as your Majeſty's Speech, made to the States of the Kingdom of Great Britain now aſſembled in Parliament, came to the Ears of his Imperial and Royal Catholick Majeſty, my moſt gracious Maſter, he wondered above Meaſure, by what Means your Majeſty could ſuffer yourſelf to be induced to declare from the Royal Throne to this renowned Nation, in a Manner hitherto unheard of, as certain and undoubted, ſome Things diſtorted in that Speech to the worſt Senſe; others as far diſtant as poſſible from the Meaning of his Imperial and Catholick Majeſty; and laſtly others (which ſtrike deeper) even deſtitute of all Foundation.

For as to what concerns the Peace made at Vienna with the moſt Serene King of Spain, who would not be aſtoniſhed to have that very Peace, grounded on the Quadruple Alliance of London, and others made with your Majeſty, as on the only and moſt ſolid Baſis, and for the obtaining whereof your Majeſty yourſelf carried on, together with your Allies, ſo bloody, and ſo long and not inglorious a War, for which your Majeſty yourſelf laboured much, now to be pretended as a juſt Cauſe of Complaint, and to be taken as a Handle for thoſe Things which have hitherto been done by your Majeſty's Miniſters in all Parts of the Earth, to the higheſt Detriment of the Emperor and Empire, and of the publick Tranquility, and that they could have been declared by your Majeſty to the People of Great Britain, with ſo much Invidiouſneſs towards the Emperor and the King of Spain, as a Violation of the Treaties!

After the Peace of Vienna the other Treaty is accuſed, that of Commerce made with Spain, and framed for promoting the lawful Advantages of the

atque amicarum Nationum moribus conformis, Gentiquè Britannicæ, ſive Situs Provinciarum, ſive natura ipſa Commercii ſpectetur, ex omni parte innocuus cùm ſit, neque Pactis cum Magnâ Britanniâ initis, vel in minimô adverſetur ; ſanè cauſa ob quam Nationi, Cæſari aliàs amiciſſimæ (cujus præteritorum egregiè geſtorum atque auxiliorum memoriam nulla unquam Ætas ex Auguſtiſſimi Cæſaris Corde evellet) Tractatus iſte gravis aut offenſivus eſſe poſſit, nulla ſupereſt ; ſi modo is ſincero, & ab omni concitandæ Nationis Studio, depurato Animo expendatur.

the Subjects of each other, which as it is conformable to the Law of Nations, and to the Uſages of People in Amity, and in all Parts is Innocent with reſpect to the Britiſh Nation, whether the Situation of the Provinces, or the Nature of the Commerce itſelf be conſidered, and is not even in the leaſt contrary to the Treaties made with Great Britain ; ſurely no Cauſe remains for which that Treaty could poſſibly be grievous or offenſive to the Nation, otherwiſe moſt friendly to the Emperor (of whoſe paſt famous Exploits and Succours no Age will ever pluck the Memory out of the Heart of the moſt Auguſt Emperor) if it be only weighed with a ſincere Mind, and purified from all Deſire of exciting the Nation.

Altera Claſſis, ea complectens quæ nullo planè fundamento nituntur, concernit præcipuè imaginarium illud Foedus, quod in allocutione offenſivum nuncupatur, & contra Majeſtatem veſtram Imperatorem inter Regemque Hiſpaniarum contractum ſupponitur. Id verò quam vacuum & inane ſit, ex eo convincitur, quod aſſertum ejuſmodi Foedus Offenſivum non ſolùm per oblatum nuper à ſuâ Majeſtate Cæſareâ & Catholicâ Pactum de ſe mutuò non offendendo ; ſed & vel per idipſum amicitiæ Foedus cum Coronâ Hiſpanicâ contractum, Majeſtatique veſtræ, quando oportebat, communicatum, ex integrò ſanè evertatur ; è cujus verbis num vel umbra, aut minimum Foederis Offenſivi Specimen erui poſſit, totius Orbis judicio ſubmittitur.

Another Claſſis, containing thoſe Things which reſt on no Foundation at all, concerns chiefly that imaginary Treaty, which is called in the Speech Offenſive, and is ſuppoſed to be contracted againſt your Majeſty between the Emperor and the King of Spain. But how empty and frivolous that is, is evinced from hence, that the offenſive Treaty of that Kind, as is aſſerted, may be intirely overthrown, not only by the Convention lately offered by his Imperial and Catholick Majeſty for not offending each other mutually ; but alſo by the very Treaty of Friendſhip itſelf, which was contracted with the Spaniſh Crown, and communicated to your Majeſty when it was fitting ; from the Words whereof whether even a Shadow, or the leaſt Specimen of an Offenſive Treaty can be drawn, is ſubmitted to the Judgment of the whole World.

Altera hujus poſitionis pars, adſtruit Articulos Secretos in Favorem Prætendentis confectos, quorum certa, eaque fida indicia ſibi adeſſe, aſſerit Majeſtas veſtra, quibus conventum eſſet eundem Prætendentem ad ſolium Magnæ Britanniæ evehere. Quâ verò mente, quâ de cauſâ & conſilio, iſta, falſiſſimis rumoribus innixa, Populo Britannico expoſita fuerint, facilè à quovis è vulgo, nedum à ſuâ Sacrâ Cæſareâ Catholicâ Majeſtate, intelligitur. Cùm verò tantorum Principum Fides inviolabilis Dignitas & Honor ferre nequeat, ejuſmodi nullâ veritate ſuffulta aſſerta univerſo Regno & Orbi è Solio Regio exponi ; eadem ſacra Cæſarea Catholica Majeſtas, ut acceptam inde graviſſimam Offenſam, Majeſtati veſtræ, & Magnæ Britanniæ Regno hiſcè declarem, mihi diſtrictè injunxit ; ſub verbô Cæſareô aſſeverando, nullum Articulum Secretum, nullamquè Conventionem exiſtere, quæ vel minimùm quid ejuſmodi contineat, aut comprobare poſſit.

The other Part of this Poſition, argues Secret Articles to have been made in favour of the Pretender (of which your Majeſty aſſerts that you have in your Hands ſure Indications, and ſuch as may be relied on,) whereby it is ſtipulated to advance that ſame Pretender to the Throne of Great Britain. But with what Meaning, for what Cauſe and Deſign, thoſe things, grounded on the falſeſt Rumours, were declared to the Britiſh People, is eaſily underſtood by any one of the Vulgar, and much more by his Sacred Imperial Catholick Majeſty. And as the Faith, inviolable Dignity and Honour of ſo great Princes cannot bear ſuch kind of Aſſertions, ſupported by no manner of Truth, to be declared from the Royal Throne to the whole Kingdom and World, his ſaid ſacred Imperial Catholick Majeſty has ſtrictly enjoyned me to declare hereby to your Majeſty, and to the Kingdom of Great Britain, that

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that a moſt grievous Offence has been received from thence; affirming on his Imperial Word, that there is no Secret Article and no Convention exiſting, which contains or can prove the leaſt thing of that Nature.

Quò vero ea quæ ex hoc ad noſtra uſquè tempora inaudito facto clàm intenduntur, eò magis eluceſcant, animadvertitur, conſulto ea exponi eo tempore, quo Pariſiis de componendis nullo ſuæ Majeſtatis Cæſareæ & Catholicæ facto ſubortis diſſidiis conſultatur; ex quo Altefatæ Majeſtatis Ceſareæ ad Pacem perpetuò proclivis Animus, atque in obſervandis Foederibus religioſiſſimus, ſatis comprobantur.

But to the end that thoſe things, which are underhand intended by this Fact, unheard of till our Times, may appear more clearly, it is obſerved, that they are deſignedly declared at that Time when Conſultation is held at Paris about compoſing the Differences which have ariſen by no Action of his Imperial and Catholick Majeſty's; from whence his aboveſaid Imperial Majeſty's Mind always diſpoſed to Peace, and moſt religious in obſerving of Treaties, is ſufficiently proved.

Quæ ſubindè hic de Gibraltar, additâ ſiniſtrâ interpretatione adducuntur, ad ejus Obſidionem ſuſcipiendam Hoſtilia in Indiis, invitis Tractatibus, ac alibi adverſus Regem Hiſpaniarum perpetrata notoria Facta atque aggreſſiones, juſtiſſimam cauſam dediſſe videntur. Quæ autem ſuæ Majeſtatis Cæſareæ Catholicæ hoc ſuper Articulo Mens & Conventio fuerit, ex ſupradicto communicato Tractatu diſpicere licet.

Thoſe things which are here alledged concerning Gibraltar, with the Addition of a ſiniſter Interpretation; the notorious hoſtile Actions and Attacks perpetrated contrary to the Treaties, in the Indies, and elſewhere, againſt the King of Spain, ſeem to have given the juſteſt Cauſe for undertaking the Siege thereof. But it may be ſeen from the aboveſaid Treaty, which has been communicated, what was the Intention and Agreement of his Imperial Catholick Majeſty upon this Article.

Quæ demùm de Oſtendand Navigatione adferuntur, Regem Catholicum, poſtquam juſtas ſubinde hujus inſtituti rationes agnovit, ad eam fovendam nullò prorſus Pacto obſtrictum pietas induxit; neve innocuum iſtud tuendi Belgici Repaguli (vulgò Barriere) Subſidium tranquilitati mutuæque cum Vicinis Amicitiæ obicem ponat, varia non Hagæ Comitis duntaxat, ac aliis in locis, compoſitionis media propoſita, verum etiam poſtremò Pariſiis declarata fuerunt.

Laſtly, as to what Things are alledged concerning the Navigation of Oſtend, his Catholick Majeſty's Piety induced him, being bound by no manner of Treaty, to countenance it, after he had ſeveral times acknowledged the juſt Reaſons for this Undertaking; and that this innocent Subſidy for preſerving the Barrier of the Low-Countries, may not be a Hindrance to the Tranquility, and mutual Friendſhip with the Neighbours, ſeveral Means of Accommodation were propoſed, not only at the Hague and in other Places, but alſo have laſtly been declared at Paris.

Quæ cum ita ſint, id ſanè offenſa Veritas, Honor & Dignitas Sacræ Cæſareæ Catholicæ Majeſtatis, poſtulabat, ut iſta Majeſtati veſtræ, Regno Magnæ Britanniæ, atque univerſo Orbi palàm exponerentur; quæ itidem pro illatâ ſibi per tot imputationes graviſſimâ Injuriâ, debitam Reparationem omni jure expoſcit.

Which Things being ſo, Truth offended, the Honour and Dignity of his Sacred Imperial Catholick Majeſty, did indeed demand ſo much, that the ſame ſhould be publickly made known to your Majeſty, to the Kingdom of Great Britain, and to the whole World; who likewiſe with all Juſtice requires due Reparation for the moſt grievous Injury done him by ſo many Imputations.

Londini Die 13 Menſis Martii, Anno 1726-7.

Carolus Joſephus de Palm.

London 13 Day of the Month of March in the Year 1727.

Charles Joſeph de Palm

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